REMARKS

Claims 1-13 and 20-40 are pending. By this Amendment, claims 1, 20 and 28-37 are amended, claims 38-40 are added and claims 14-19 are cancelled without prejudice to or disclaimer of the subject matter recited therein. The independent claims are amended to even more clearly distinguish over the applied references. The amendments are supported throughout the specification. In addition, new independent claims 38-40 are respectively based upon claims 1, 20 and 28, and also are supported throughout the specification. Thus, no new matter is added by the above amendments.

Claims 1-37 stand rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,154,295 to Fredlund et al. in view of U.S. Patent No. 6,636,837 to Nardozzi et al. This rejection is moot with respect to cancelled claims 14-19 and is respectfully traversed with respect to the remaining claims.

With respect to independent claims 1, 20, 38 and 39, neither Fredlund et al. nor Nardozzi et al. discloses or suggests the claimed "digital image data receiver that directly receives the digital image data from a source of the digital image data via a wired or wireless communication line." Fredlund et al. discloses a system and method "for facilitating ordering and re-ordering of prints from negatives or slides." See, for example, col. 2, lines 51-53. Fredlund et al. receives a photographic film from the customer, and does not relate to a system that receives digital image data via a wired or wireless communication line. See, for example, Fredlund et al. Abstract, col. 2, lines 26-27 and col. 3, lines 16-19. The Nardozzi et al. system also does not receive digital image data from a source via a wired or wireless communication line. In Nardozzi et al., a user supplies film, a computer disk or a memory device. See, for example, col. 1, lines 40-44 and col. 5, lines 14-24. Thus, neither Fredlund et al. nor Nardozzi et al. relates to a print service that directly receives digital image data from a source of the digital image data via a wired or wireless communication line as recited in

independent claims 1, 20, 38 and 39. Accordingly, independent claims 1, 20, 38 and 39, along with their dependent claims, are patentable for at least this reason.

With respect to independent claims 1 and 38, Applicant also respectfully disagrees with the Office Action's assertion that it would have been obvious to modify the Fredlund et al. system in view of Nardozzi et al. to result in the "charge determiner that determines a print charge of the present print order by deducting a predetermined amount regardless of a content of the previous order" if it has been determined that a previous order has been received from the same user within a predetermined time period. The Office Action refers to col. 9, lines 18-52 of Nardozzi et al. in alleging that it would have been obvious to modify the Fredlund et al. system to result in this feature. Column 9, lines 18-52 of Nardozzi et al. indicates that: (i) the display screen can be customized based on a previous user's past history (col. 9, lines 20-28); (ii) a discount coupon may be offered on a product offering (col. 9, lines 39 and 40), which, based upon the entire disclosure of Nardozzi et al., means that this "product offering" is something different from what the user has already purchased, and, in any event, the user does not receive any discount if the user does not purchase that "product offering"; and (iii) the customer can be encouraged to try goods and/or services that the customer usually does not purchase (col. 9, lines 43-50). Nardozzi et al. does not disclose or suggest that the charge for the present print order will have a predetermined amount deducted from it if the order is made within a predetermined time period from a previous order. Thus, the charge determiner of claims 1 and 38 would not have been obvious from the combination of Fredlund et al. and Nardozzi et al.

With respect to independent claims 20 and 39, Applicant respectfully submits that the combination of Fredlund et al. and Nardozzi et al. does not disclose or suggest the claimed "determiner that determines a print charge for the present print order based on" whether or not the user has previously ordered a print with the same laboratory system regardless of a

content of the present print order and based on a record recorded by the recorder. Fredlund et al. does not determine whether a user has previously ordered a print regardless of a content of the present print order, but merely relates to a system for re-ordering previously submitted prints. Although Nardozzi et al. determines whether a present user has previously used the system, the print charge for a present print order is not based on an outcome of that previous use. As noted above, Nardozzi et al. merely offers a discount coupon for a product offering or encourages a customer to try goods and/or services that the customer does not usually purchase. The print charge for the present print order is not necessarily affected by the fact that the user has previously used the system. Accordingly, claims 20 and 39 are patentable for this additional reason.

With respect to independent claims 28 and 40, Applicant respectfully submits that neither Fredlund et al. nor Nardozzi et al. discloses or suggests an arrangement in which a given laboratory system is selected from a plurality of laboratory systems that can be utilized by the print service front, as recited in these claims. Furthermore, Applicant respectfully submits that independent claims 28 and 40 are patentable for at least the reasons set forth above with respect to independent claims 20 and 39. That is, the combination of Fredlund et al. and Nardozzi et al. does not disclose or suggest the "charge determiner" of claims 28 and 40.

Accordingly, Independent claims 1, 20 , 28 and 38-40, along with their dependent claims, are patentable over Fredlund et al. and Nardozzi et al. Withdrawal of the rejection is requested.

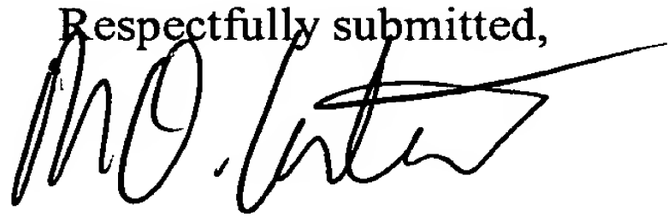
Dependent claims 11, 27 and 37, which recite that the contents to be recorded by the recorder are embedded in the digital image data, are patentable for the additional reason that this feature is not disclosed or suggested in Fredlund et al. or in Nardozzi et al. In rejecting these claims, the Office Action appears to refer to col. 4, lines 24-38 of Fredlund et al., which

were referenced with respect to claims 10, 26 and 36. However, col. 4, lines 24-38 of Fredlund et al. has nothing to do with embedding digital image data with the contents that are to be recorded by the recorder. Thus, Fredlund et al. does not disclose or suggest this feature. Nardozzi et al. also does not disclose or suggest this feature. As described in the specification at, for example, page 12, line 34 - page 13, line 6 and in the surrounding text, this technique is highly efficient. See, for example, page 11, line 30 - page 13, line 6.

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



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Attachments:
Request for Continued Examination
Petition for Extension of Time

Date: February 15, 2006

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